

REMARKS

Claims 1, 14, and 23 are pending. No amendments have been made. Acceptance of the petitions and consideration of the remarks provided herewith is respectfully requested.

Pending Claims are Novel

Claims 1, 14, and 23 stand rejected under 35 U.S.C. § 102(e), as allegedly being anticipated by WO 2002/70539. Applicants resubmit herewith a declaration under 37 U.S.C. § 1.131 to swear behind this reference. The previous declaration was rejected by the Petitions Branch for a technical deficiency, which has now been corrected. Applicants have taken all reasonable efforts to obtain the signatures of the two missing or uncooperative inventors. As such, Applicants are entitled to proceed without their cooperation.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. PTO determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 511582003500. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: September 29, 2006

Respectfully submitted,

By 

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